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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/522,552	08/12/2005	Takashi Imaeda	265122US90PCT	8489
22850 7590 04/24/2007 OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER LODHI, ANDALIB FT	
			ART UNIT 2109	PAPER NUMBER

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	04/24/2007	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 04/24/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	Application No. 10/522,552	Applicant(s) IMAEDA ET AL.	
	Examiner Andalib F. Lodhi	Art Unit 2109	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 July 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 January 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some \*    c) ☐ None of:
  - 1. ☐ Certified copies of the priority documents have been received.
  - 2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application                                  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____   |

- a. The outstanding Office Action sent electronically (Notification Date) on February 20, 2007, is hereby vacated, including the period for reply set forth therein. The following is an Office action on the merits.

### **DETAILED ACTION**

1. The abstract of the disclosure is objected to because 'is' missing in line 14 at the beginning. Correction is required. See MPEP § 608.01(b)

#### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

3. Claim 11 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 11 depends on claim 8, 9, and 10; according to MPEP chapter 708.02(a)-1(E); the application must not contain any multiple dependent claims.

#### ***Claim Rejections - 35 USC § 101***

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claim 4-7, and 8-13 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

In claim 8-10 and 12, a "Program for causing a computer to execute" is being recited; however, it appears that the program would reasonably be interpreted by one of ordinary skill in the art as software that causes access to database, per se. As such, it is believed that the program of claim 8 and 12 is reasonably interpreted as functional descriptive material, software, per se.

Claim 4-7 and 11 and 13 are rejected because the claims fail to place the invention squarely within one statutory class of invention. On page 15, line 26-34 of the instant specification, applicant has provided evidence that applicant intends the "medium" to include signals. As such, the claim is drawn to a form of energy. Energy is not one of the four categories of invention and therefore these claims are not statutory. Energy is not a physical article or object and as such is not a machine or manufacture. Energy is not a combination of substances and therefore not a composition of matter.

### ***Claim Rejections - 35 USC § 102***

(e) The invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting

directly or indirectly from an international application filed before November 29, 2000.

Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

6. Claim 1 to 13 are rejected under 35 U.S.C. 102(e) as being anticipated by Furumoto et al (Pub. No.: US 2003/0225766 A1)

For claim 1, Furumoto teaches:

A database access control method (see e.g. [0041]) for performing access control on a database in response to a request from a user apparatus through cooperation between a database access control apparatus and a proxy process server apparatus, wherein:

The database access control apparatus sends an address of a usable proxy process server apparatus to the user apparatus in response to the request from the user apparatus (see e.g. [0066] and [0067]).

The user apparatus connects to the proxy process server apparatus of the address to make a database access request. The proxy process server apparatus makes a database process request to the database access control apparatus according to the database access request from the user apparatus (see e.g. [0021]).

The database access control apparatus performs a process on the database in response to the database process request from the proxy process server apparatus, and sends a process result to the proxy process sever apparatus (see e.g. [0014]).

The proxy process server apparatus performs an additional process on the process result sent from the database access control apparatus, and sends an additional process result to the user apparatus.

For claim 2, Furumoto teaches:

The database access control method as claimed in claim 1, wherein,

The database access control apparatus generates an access key based on a user ID of the user apparatus, stores the access key in a storing part of the database access control apparatus and sends the access key to the user apparatus (see e.g. [0008]).

Art Unit: 2109

The user apparatus sends the access key to the proxy process server apparatus when making the database access request to the proxy process server apparatus (see [0010]).

The proxy process server apparatus sends the access key to the database access control apparatus when making the database process request to the database access control apparatus (see e.g. [0025]).

The database access control apparatus determines whether an access key the same as the access key received from the proxy process server apparatus exists in the storing part, and executes an access to data in the database within a limit permitted for the user ID corresponding to the access key only if the access key exists in the storing part (see e.g. [0011] and [0012]).

For claim 3, Furumoto teaches:

The database access control method as claimed in claim 2, wherein,

The database access control apparatus determines whether the user apparatus is in a state of being connected to the proxy process server apparatus in addition to performing determination of the access key, and performs the access to the data in the database only if the user apparatus is in the state of being connected to the proxy process server apparatus (see e.g. [0120])

Regarding claim 6, which claim the same subject matter as recited in claim 3. Therefore, claim 6 has been analyzed and rejected with respect to claim 3.

Regarding claim 10, which claim the same subject matter as recited in claim 3. Therefore, claim 10 has been analyzed and rejected with respect to claim 3.

For claim 4, Furumoto teaches:

A database access control apparatus for performing access control on a database in response to a request from a user apparatus through cooperation with a proxy process server apparatus, (see e.g. [0042]) comprising:

Means for instructing the user apparatus to connect to the proxy process server apparatus by sending an address of a usable proxy process server apparatus to the user apparatus in response to a request from the user apparatus (see e.g. [0066] and [0067])

Art Unit: 2109

Means for performing a process on the database in response to a database process request from the proxy process server apparatus, and sending a process result to the proxy process sever apparatus (see e.g. [0014]).

For claim 5, Furumoto teaches:

The database access control apparatus as claimed in claim 4, further comprising:

Means for generating an access key based on a user ID of the user apparatus, storing the access key in a storing part of the database access control apparatus and sending the access key to the user apparatus when sending the address of the proxy process sever apparatus to the user apparatus (see e.g. [0008])

Means for receiving the access key and the database process request from the proxy process sever apparatus, and determining whether an access key the same as the access key received from the proxy process server apparatus exists in the storing part (see e.g. [0011]).

Means for executing an access to data in the database within a limit permitted for the user ID corresponding to the access key only if the access key exists in the storing part (see e.g. [0012]).

For claim 7, Furumoto teaches:

A proxy process server apparatus for accessing a database via a database access control apparatus in response to a request from a user apparatus, comprising:

Means for receiving an access key and a database access request from the user apparatus (see e.g. [0033]);

Means for sending a database process request and the access key to the database access control apparatus. Means for receiving a process result of the database according to the database process request, performing an additional process on the process result, and sending an additional process result to the user apparatus (see e.g. [0146] and [0147]).

Regarding claim 12, which claim the same subject matter as recited in claim 7. Therefore, claim 12 has been analyzed and rejected with respect to claim 7.

For claim 8, Furumoto teaches:

A program for causing a computer to execute a database access control process for performing access control on a database in response to a request from a user

Art Unit: 2109

apparatus through cooperation with a proxy process server apparatus, the program causing the computer to execute (see e.g. [0040])

A step for instructing the user apparatus to connect to the proxy process server apparatus by sending an address of a usable proxy process server apparatus to the user apparatus in response to a request from the user apparatus (see e.g. [0066] and [0067]);

A step for performing a process on the database in response to a database process request from the proxy process server apparatus, and sending a process result to the proxy process sever apparatus (see e.g. [0014]).

For claim 9, Furumoto teaches:

The program as claimed in claim 8, the program causing the computer to execute:

A step for generating an access key based on a user ID of the user apparatus, storing the access key in a storing part of the database access control apparatus and sending the access key to the user apparatus when sending the address of the proxy process sever apparatus to the user apparatus (see e.g. [0008]).

A step for receiving the access key and the database process request from the proxy process sever apparatus, and determining whether an access key the same as the access key received from the proxy process server apparatus exists in the storing part (see e.g. [0011]).

A step for executing an access to data in the database within a limit permitted for the user ID corresponding to the access key only if the access key exists in the storing part (see e.g. [0012]).

For claim 11, Furumoto teaches:

A computer readable recording medium recording the program as claimed in any one of claims 8-10 (see e.g. [0151] and [0152])

Regarding claim 13, which claim the same subject matter as recited in claim 11. Therefore, claim 13 has been analyzed and rejected with respect to claim 11.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Calo et al (Pub. No.: US 2005/0071421 A1) teaches a redirection mechanism, which directs user towards a proxy process server in the system.



Art Unit: 2109

Horikiri et al (Patent. No.: US 7,058,971 B1) teaches a safely transfer access privilege information, whether a client that makes an object request is authorized.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andalib F. Lodhi whose telephone number is (571) 270-1759. The examiner can normally be reached on Monday-Friday, 7:30am- 5:00pm, EST Alt Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dave Scherbel can be reached on (571) 272 4919. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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March 12, 2007

  
Primary Examiner  
Thomas Pham